

APPENDIX Z
CERF GUIDELINES

Z-1. Functions of CERF. The CERF shall supplement the existing hopper dredge resources of MSC and district commanders by providing a mechanism and organizational structure to aid in the acquisition of hopper dredge resources to meet national defense or emergency dredging requirements.

Z-2. Background.

a. The Corps will continue to be responsible for all dredging requirements for national defense or emergencies.

b. It is the general policy to respond to national defense or emergency requirements by using Corps hopper dredges.

(1) When Corps dredges are not available and it is not feasible or practical to use routine contractual procedures for hopper dredges, then MSC/district commanders will seek HQUSACE authority to activate CERF.

(2) Authority to activate CERF shall only be granted by Director of Civil Works for CONUS and Commander, USACE for OCONUS when justification supports this action.

c. The Corps will continue to use routine contractual procedures for routine hopper dredging.

d. The Corps will continue to provide the leadership for keeping all navigational channels cleared for shipping.

e. The procedures described below are prescribed to assist in the implementation of this program.

(1) First, dredges from the Corps minimum federal fleet will be deployed to respond to emergency and defense requirements.

(2) Then, if Corps dredges are not available in the number needed, routine contractual procedures will be utilized to obtain the services of hopper dredges from industry.

(3) If the above two steps do not result in the volume and type of hopper dredges needed to respond to emergency and defense requirements, the CERF will be activated.

(4) A request for activating the CERF by ordering MSC and district commanders with a description of the emergency or defense requirements will be presented to HQUSACE, CECW-OD.

(a) If the requirement is in CONUS, as described in the definitions below, the CERF will be activated by the Director of Civil Works.

(b) If the requirement for a hopper dredge is in OCONUS, as described in the definitions below, the CERF will be activated by Commander, USACE.

Z-3. Required Contract Provision. The provision, CERF implementation, shall be included in every dredging solicitation and contract except the BOA for CERF.

Z-4. Basic Ordering Agreement. The Basic Ordering Agreement (BOA) is an agreement between the contractor and the government to furnish the services required at a fixed daily rate. An order placed under the BOA becomes a contract providing for two items of payment:

- a. Mobilization and demobilization at the BOA cost per nautical mile of mobilization.
- b. Hopper dredging by the named dredge at the agreed upon cost per day of dredging.
- c. The BOA Contracting Officer is responsible for establishing the BOA and distributing copies to other Corps Contracting Officers, who are listed in the BOA (Authorized Ordering FOA), and HQUSACE. The Contracting Officer placing the order is designated as the Ordering Contracting Officer.

Z-5. Request for CERF Activation. The request for activation of the CERF will come from an FOA through the MSC Office to HQUSACE, CECW-OD (CONUS). In the case of OCONUS dredging requirements, the request will go through the Director of Civil Works to Commander, USACE. The request will contain as a minimum the following information:

- a. Requesting MSC and/or District.
- b. Location of dredging.
- c. Availability of funds.
- d. Priority of work.
- e. Justification for emergency request.
- f. Special job requirements (sidecasting, pump ashore, etc.).
- g. Estimated size of job (cubic yards, time of rental, or other suitable measurement of the scope of work).
- h. Estimated site conditions.
 - (1) Type of material.
 - (2) Disposal requirements.
 - (3) Other site information or requirements which might affect the production of the hopper dredge on this job.

Z-6. Responsibilities.

a. CERF Request. A request will be initiated by a MSC/ District Commander as described in paragraph Z-5 above. In the use of defense emergencies, the request may be initiated by a DOD element through HQUSACE and the responsible actions for contracting would be assigned to an appropriate District/MS.

b. Routing of Requests.

(1) Requests by District will be routed concurrently to its commanding MSC and HQUSACE, CECW-OD

(2) CECW-OD will begin preparation of the decision document upon receipt of the request, but will await MSC concurrence before submitting the decision document to the Director of Civil Works and Commander, USACE. The following will be considered in preparation of the decision document:

(a) Availability. The government will survey participating CERF contractors to verify the location of participating dredges. The dredge must be operational and ready for work. CERF dredges working under existing contracts to the Corps are committed to respond to CERF activation. When a contractor is under contract to someone other than the U. S. Army Corps of Engineers and the contractor volunteers for the active CERF fleet, the Federal Government is not responsible for contract termination costs.

(b) Time. This factor includes the time required for the dredge to travel to the job site and be ready for work, plus the time required to perform the required dredging.

(c) National Dredging Program Impact. The selection of a particular dredge will be evaluated by the overall effect on the National Dredging Program.

(d) Cost. The firm-fixed daily and mileage rates contained in each participating CERF BOA will be utilized to determine the cost to the government.

(e) Exemption. Dredges activated by placement of an order against a CERF BOA are exempt from successive activation for a period of 90-calendar days from completion of a CONUS assignment and 180-calendar days from completion of an OCONUS assignment unless voluntarily consented to in writing by a participating CERF contractor.

(f) Dredge capability. Information and/or capabilities of the dredge that may impact on the ability to perform.

(g) Specific site factor. Site factors that impact upon the ability of the dredge to perform the work.

(3) The decision document will be submitted to the Director of Civil Works for CONUS emergency dredging. The decision document will be submitted through the Director of Civil Works to Commander, USACE for OCONUS emergency dredging.

c. Approval of Request. Approval of the request can be made only by Commander, USACE for OCONUS and the Director of Civil Works for CONUS or persons authorized to act in their absence.

d. Termination/Extension of Existing Contract. The Contracting Officer named in an existing contract is responsible for actions required to terminate or extend that contract. The Contracting Officer will take appropriate action to extend or terminate the existing contract when notified by Commander, USACE or the Director of Civil Works or their authorized representative of the decision to activate the CERF dredge currently working on an existing maintenance or construction dredging contract.

e. Implementing the BOA. The Ordering Contracting Officer of the District requesting the work will be responsible for executing the order against the BOA once notified by the appropriate official that the decision to activate the CERF has been made. The BOA contains the instructions for placing orders against the BOA.

Z-7. Limitations of the BOA. The BOA is limited to civil works funding and is not an appropriate document for a military fund citation. Military funds may be available to the Corps of Engineers Revolving Fund as an appropriate reimbursement mechanism.

Z-8. Procedures for Becoming a CERF Member. A contractor who wishes to become a CERF member shall write to U. S. Army Corps of Engineers, ATTN: CECW-OD, 20 Massachusetts Avenue, NW, Washington, DC 20314-1000. CECW-OD will notify the appropriate procurement office who is responsible for the BOA.

Z-9. Procedures for Notification of Availability. An idle contractor's hopper dredge or one employed on non-Corps work may be removed from the active CERF Fleet by providing written notice of unavailability to HQUSACE, CECW-OD at least five days prior to the requested action.